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December 12, 2025

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Peggy Kuo, U.S.M.J.
225 Cadman Plaza East
Courtroom 11C South
Brooklyn, NY 11201-1804

Re: Trustees v. Spray in Place Solutions LLC, et al.
Case No.: 1:24-cv-2568 (KAM) (PK)

Dear Judge Kuo:

This office represents the Defendants in the above referenced case. Defendants write jointly with Plaintiffs to provide the instant joint status report pursuant to this Court's Order dated December 3, 2025.

As previously reported by the parties, the final requirement of the stipulation that was not completed was payment of the undisputed amounts owed to Plaintiffs. After the audit was transmitted to Defendants, Defendants provided Plaintiffs with a document containing, among other things, hours worked by its employees that Defendant concedes were not reported to Plaintiffs¹ and that contributions to Plaintiffs are owed on.

Plaintiffs' auditors determined the uncontested amounts owed to Plaintiffs and provided that to Defendants on October 14, 2025. Defendants have reviewed Plaintiffs' submission, and yesterday agreed that the base amount of contributions sought – *sans* attorneys' fees, costs, interest, and any related "add-ons" – are undisputed and Plaintiffs' counsel provided today payment instructions to issue payment of these undisputed amounts to the Plaintiffs.

In addition, the parties intend to continue engaging in settlement discussions related to the remaining disputed amounts owed. Specifically, Plaintiffs have made a settlement demand, and Defendants need additional time to consider and respond.² Given this, the parties are not in a position to determine whether a settlement conference or referral to EDNY Court-Annexed mediation would be fruitful at this time.

¹ Defendants respectfully submit that, as previously mentioned in this case and as documented in several letters to the Plaintiffs prior to this case, Plaintiffs' remittance reporting system – the only means by which Defendant Spray in Place Solutions LLC could report hours – was not working. See ECF Docket Entries [13 ¶¶ 66, 77, 79](#) and [21](#) at 2. Plaintiffs continue to vehemently deny this allegation.

² Defendants' undersigned counsel has been in the throes of preparing a motion for summary judgment due today in a class action wage & hour case he has been defending, and respectfully seeks additional time to meaningfully respond to the Plaintiffs' demand in light of same. See Fed. R. Civ. P. 6(b)(1)(B).

The parties thank this honorable Court for its time and attention to this case.

Dated: Jamaica, New York
December 12, 2025

Respectfully submitted,

SAGE LEGAL LLC

/s/ Emanuel Kataev, Esq.

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